

12/07/2016

Anderson, Diane

*Ed Smith*CLERK OF THE SUPREME COURT  
STATE OF MONTANA

**From:** Montana Family Foundation <communications@montanafamily.org> on behalf of James Hales <communications@montanafamily.org>  
**Sent:** Tuesday, December 6, 2016 9:56 AM  
**To:** Court, SCclerk  
**Subject:** My opposition to a new professional rules of conduct, rule 8.4(g)

Dec 6, 2016

Honorable Ed Smith  
P.O. Box 203003  
Helena, MT 59620-3003

Dear Justices Honorable Smith,

I am writing today to express my opposition to the proposed rule change 8.4(g).

Honorable Members of the Court,

You have called for public comment of the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. Thank you for this opportunity to respond to this unlawful attempt to silence and curtail the rights of those who have deep spiritual convictions from practicing law.

I am very concerned about the ramifications of such a rule and I respectfully ask you to reject it. I believe the free exercise of religion in this country must not be infringed. This right goes beyond the freedom to worship. The core of the 1st Amendment is the freedom of belief and the freedom of conscience. Establishing a religious test for who can practice law is unconstitutional. This would be a clear violation of the 1st amendment. Lawyers have taken an oath. Since the founding of this country, they have represented their clients without any personal bias based on their belief system. Their personal convictions do no prejudice their representation. They must separate their personal belief to represent the rights of all Americans. This new rule would establish a government belief system that must be met to practice law. In essence, this would be the establishment of a religious system, even if it is a secular humanistic one.

I hope you'll reject this rule change.

Sincerely,

Mr. James Hales  
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Helena, MT 59602-8226  
(406) 461-9120  
[darrenhales@bresnan.net](mailto:darrenhales@bresnan.net)

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